

Prior law provided relative to the elections compliance unit in the DOS.

New law provides that a member of the unit upon receipt of a complaint of any election irregularity may enter a polling place during early voting or on election day for the purposes of checking the overall operations of the polling place or investigating any potential violation of the election code.

Prior law provided for general election offenses and penalties.

New law provides for following specific election offenses:

- (1) Bribery of voters.
- (2) Election offenses affecting registration and election fraud or forgery.
- (3) Election offenses affecting registrars, deputy registrars, commissioners, watchers or officials.
- (4) Election offenses involving threats or intimidation of voters.
- (5) Election offenses involving bribery, threats or intimidation of public officials or candidates.
- (6) Election offenses involving tampering with election equipment.
- (7) Miscellaneous election offenses
- (8) Election offense; candidate; forfeiture of office

Prior law (R.S. 14:119 and 352) provided that, in the trial of persons charged with bribery of voters or bribery of election officials or candidates, either the bribe-giver or the bribe-taker may give evidence or make affidavit against the other with immunity from prosecution in favor of the first informer, except for perjury in giving such testimony. New law (R.S. 18:1461 and 1461.5) makes the grant of immunity from prosecution for a person charged with such offenses in exchange for testimony permissive rather than mandatory.

Prior law prohibited certain activities on election day.

New law prohibits certain activities during early voting or on election day.

Prior law prohibited certain political materials and imposes certain ethical standards and imposes penalties for violation of prior law including a fine not to exceed \$500 or imprisonment for not more than six months, or both.

New law increases the penalty for violation of new law to a fine not to exceed \$2000 or be imprisoned, with or without hard labor, for not more than two years, or both.

Prior law prohibited use of public funds and imposes a fine of not more than \$500 or imprisonment for not more than six months, or both. Provided that on a second offense or any subsequent offense, the penalty will be a fine of not more than \$1000 or imprisonment for not more than one year, or both.

New law increases the penalties for violation of prior law to a fine of not more than \$1000 or imprisonment, with or without hard labor, for not more than two years, or both.

Prior law provided that the act of giving contributions in return for endorsement is considered a misdemeanor offense and the violator will be fined not in excess of \$500 or imprisoned for not more than six months, or both.

New law increases the penalty for violation of prior law to a fine of not more than \$1000, or imprisonment with or without hard labor for not more than five years, or both.

Effective January 1, 2011.

(Amends R.S. 18:49.1(C), 1461, 1462, 1463(F), 1465(B), 1466, 1467, and 1468(C); adds R.S. 18:49.1(D), 1461.2, 1461.3, 1461.4, 1461.5, 1461.6, 1461.7, and 1461.8; repeals R.S. 14:118(A)(1)(b) and 119 and R.S. 18:1300.6)